

Date JULY 2, 1985 SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES  
HONORABLE P G BRECKENRIDGE, JR JUDGE  
Deputy Sheriff  
Court Attendant

R HART  
NONE  
(Parties and counsel checked if present)  
Deputy Clerk  
Reporter

C 420 153  
GERALD ARMSTRONG, Cross- Counsel for Plaintiff  
VS Cross- Counsel for Defendant  
CHURCH OF SCIENTOLOGY OF CALIFORNIA,

*Cerry - we got everything we asked for. julm*

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NATURE OF PROCEEDINGS: MOTION OF CROSS-COMPLAINANT FOR ORDER COMPELLING PRODUCTION OF DOCUMENTS (SUBMITTED MATTER)

In this Discovery matter taken under submission, the Court rules as follows:

*G.O. Docs; Docs on S.P. Declares; Corresp. b/t ASI + CSC*

As to discovery requests, numbers 2, 3, 6, 7 and 10, cross-defendant Church is ordered to produce as requested, or make available for cross-complainant's inspection within twenty days. As to any matter as to which attorney-client or work product privilege is claimed, cross-defendant must identify and describe each such document for cross-complainant, and submit such documents to the Court for an in-camera inspection and ruling re privilege, within the same twenty days.

*→ P.C. files*

As to item number one, the cross-defendant is ordered to produce or make available for inspection within twenty days all matter which reflects any statement, or summary of statements of cross-complainant. This includes verbatim as well as sum and substance type recitals. As to other matters contained in Armstrong's pre-clear folders, cross-defendant is ordered to identify and describe by date, place, and name of interviewer, each such event, and provide same to cross-complainant, and also submit the entire folder to the Court for its in-camera inspection, all within twenty days.

As to all documents or files which are submitted to the Court for in-camera inspection, the Court will not release any part of such matters to cross-complainant without having given ten days notice to the parties of its intention so to do.

The Court concludes that inasmuch as cross-complainant's case has progressed beyond the pleading stage, he is entitled to undertake and achieve legitimate discovery. The first amendment does not preclude such. The order of this Court does not impinge upon the Church's ability to function as such or engage in its auditing practices with other members. It only permits the cross-complainant to find out his own words or expressions which are in possession of the cross-defendant, and permits additional discovery should the Court conclude through an in camera proceeding that other non-privileged relevant matter exists.

SEE PAGE 2

(1A) DEPT. 57

MINUTES ENTERED  
7-2-85  
COUNTY CLERK

Date 7-2-85

## SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

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ARMSTRONG

Cross- Counsel for  
Plaintiff

VS

Cross- Counsel for  
Defendant

SCIENTOLOGY

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NATURE OF PROCEEDINGS: CONTINUED FROM PAGE 1

Whatever may be the practice of the Church at this time, the Court heard substantial evidence presented at the trial conducted in April and May of 1984 that EC files were not maintained as confidential by the Church during the time when Armstrong was a Scientologist. P.C. files were characterized as "processing files" and the subject of Guardian Order 121669 issued by Mary Sue Hubbard. Consequently, the Court is satisfied that the Priest-Penitent privilege is not applicable and does not preclude discovery by cross-complainant.

TRIAL IS SET FOR SEPTEMBER 29, 1986 at 9 A.M. in Dept. 57.  
MANDATORY SETTLEMENT CONFERENCE is set SEPTEMBER 15 at 9 A.M.  
in Dept. 57; however, such shall be assigned at that time to some Department other than 57.

Within this framework, the parties are ordered to confer and attempt to agree upon cut off dates for other discovery, as well as schedule of events as per existing Superior Court Trial Setting Conference Policy. If the parties cannot reach an agreement as to all such matters within thirty days, the Court upon ex parte application will set a Trial Setting Conference hearing, and make appropriate orders, together with possible sanctions.

A copy of this minute order is mailed to Mrs. Dragojevic, Mr. Randolph and Mr. Peterson, by U. S. Mail.

(1B) DEPT. 57

MINUTES ENTERED

7-2-85

COUNTY CLERK